

PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM
MINUTES OF POLICE OFFICER'S MEETING
JANUARY 12, 2010

The regular meeting of the Tucson **Police** Public Safety Personnel Retirement System Board was held on Tuesday, January 12, 2010, on the 5th Floor, Finance Conference Room, City of Tucson, City Hall, 255 W. Alameda, Tucson, Arizona. Co-Chair Marion Pickens called the **Police** Board meeting to order at 9:01 a.m.

1. ROLL CALL

Police Board Members:

Present:	Marion Pickens	Member
	Curry Hale	Member – arrived at 9:25 a.m.
	Mike Gurr	Member
	J. D. Kragnes	Member
Absent/Excused:	Robert Walkup	Chair
Staff Present:	Elizabeth Martinez – Police and Fire Board Secretary	
	Dee Dee Roberts Meech – Board Staff	
	David McEvoy – Police and Fire Board Attorney	
Also Present:	Brian Delfs – Fire Board Member	
	Roger Tamietti – Fire Board Member	
	Gary Lynch – Retired Police System Member – left at 9:12 a.m.	
	Patricia Tersey – Retired Police System Member – left at 9:12 a.m.	

2. POLICE CONSENT AGENDA: ITEMS A – J

- A. MINUTES FOR APPROVAL – 11/10/09
- B. PENSION PAYROLL – Deletion of Retirement Benefits for Louis Schuler in the amount of \$2,913.85. Addition of Normal Service Retirement for Sandra Wilson out of DROP in the amount of \$2,540.81. Addition of Permanent Accidental Disability Retirement for Geraldine Ortiz in the amount of \$3,006.60.
- C. NORMAL SERVICE RETIREMENT
Sandra Wilson – Last day worked 12/30/09 – Pension effective 01/01/10

- D. PERMANENT ACCIDENTAL DISABILITY RETIREMENT
Geraldine Ortiz – Last day worked to 11/27/09 – Pension effective 12/01/09
- E. DEFERRED RETIREMENT OPTION PLAN
Shawn Thacker – Election to participate in the DROP 12/31/09
- F. PRE-EMPLOYMENT PHYSICAL REQUIREMENT
DOH: 07/06/09
PSPRS: 10/30/09
- | | |
|-------------------------------|--------------------------------|
| <u>Jesus Aguilar</u> | Passed Pre-Employment physical |
| <u>Erik Dahl</u> | Passed Pre-Employment physical |
| <u>Chad Edwards</u> | Passed Pre-Employment physical |
| <u>Jesus Enriquez</u> | Passed Pre-Employment physical |
| <u>Jeffrey Garza</u> | Passed Pre-Employment physical |
| <u>Amado Gonzalez-Ramirez</u> | Passed Pre-Employment physical |
| <u>Joseph Gossett</u> | Passed Pre-Employment physical |
| <u>Meghan Greene</u> | Passed Pre-Employment physical |
| <u>Steven Holden</u> | Passed Pre-Employment physical |
| <u>Lloyd Jones</u> | Passed Pre-Employment physical |
| <u>Brett Kaczynski</u> | Passed Pre-Employment physical |
| <u>Jeffrey Lyons</u> | Passed Pre-Employment physical |
| <u>Stacey Morrison</u> | Passed Pre-Employment physical |
| <u>Graham Newnum</u> | Passed Pre-Employment physical |
| <u>Felix Olivas</u> | Passed Pre-Employment physical |
| <u>Christopher Radcliff</u> | Passed Pre-Employment physical |
| <u>Misti Radcliff</u> | Passed Pre-Employment physical |
| <u>David Schneider</u> | Passed Pre-Employment physical |
| <u>James Scott</u> | Passed Pre-Employment physical |
| <u>Sean Towle</u> | Passed Pre-Employment physical |
| <u>David Westberg</u> | Passed Pre-Employment physical |
| <u>Douglas Wilfert</u> | Passed Pre-Employment physical |
| <u>Travis Williams</u> | Passed Pre-Employment physical |
- DOH: 01/08/09
PSPRS: 07/23/09
Francisco Santa Maria Passed Pre-Employment physical
- DOH: 10/04/07
PSPRS: 02/01/08
Randy Quinn Passed Pre-Employment physical
- G. REDEMPTION OF PRIOR SERVICE

Christopher Duenas – Redemption of prior service with the Military

4.000 years of Military service in the amount of \$97,398.00

Duane Enos – Redemption of prior service with Tohono O’Odham Police

1.695 years of prior service in the amount of \$27,031.00

Mark Nisbet – Redemption of prior service with the Military

4.000 years of Military service in the amount of \$96,448.00

Bruce Smith – Redemption of prior service with DOC/Pima County Corrections

3.362 years of prior service in the amount of \$73,000.00

- H. EXPENDITURE STATEMENT IN THE AMOUNT OF ***\$1,300.00** FOR AN APPLICATION PHYSICAL for Geraldine Ortiz (\$500.00) and ANNUAL PHYSICALS for James Hartsuck (\$400.00) and Caroline Stover (\$400.00) by Dr. Dennis Thrasher at Sunnyside Medcenter.
- I. APPLICATION FOR SEPARATION/REFUND OF CONTRIBUTIONS
Allen Johnson – \$7,590.21 refund of Contributions due to his death on 03/10/09
Brian Miller - \$28,516.63 refund of Contributions due to his death on 04/18/2009
- J. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY FOR DECEMBER AND JANUARY TOTAL \$800.00

MOTION by Mr. Kragnes seconded by Mr. Gurr, that Police Board Items A – J are adopted with the correction and the appropriate action taken. Motion **CARRIED** by a roll call vote of 3-0. (Mr. Walkup and Mr. Hale absent/excused).

3. FIRE CONSENT AGENDA: ITEMS A – G

- A. MINUTES FOR APPROVAL – 11/10/09
- B. PENSION PAYROLL – Deletion of Retirement Benefits for James Armstrong due to his death on 11/17/09 in the amount of \$5,568.13 and addition of Survivor benefits for Maria Armstrong in the amount of \$4,454.50. Deletion of Retirement Benefits for Bernard J. Oliver in the amount of \$2,874.25 due to his death on 11/28/09 and addition of Survivor benefits for Ruth Oliver in the amount of \$2,379.40.
- C. SURVIVOR PENSION
Maria Armstrong – James Passed away 11/17/09 – Pension effective 12/01/09
Ruth Oliver – Bernard Passed away 11/28/09 – Pension effective 12/01/09

***Correction**

D. PRE-EMPLOYMENT PHYSICAL REQUIREMENT

DOH: 07/09/09

PSPRS: 12/12/09

<u>Alexis Anderson</u>	Passed Pre-Employment physical
<u>Ross Bosworth</u>	Passed Pre-Employment physical
<u>Alejandro Contreras</u>	Passed Pre-Employment physical
<u>Jill Framm</u>	Passed Pre-Employment physical
<u>Francisco Granados</u>	Passed Pre-Employment physical
<u>Dwight Jackson</u>	Passed Pre-Employment physical
<u>Ronald Karulski</u>	Passed Pre-Employment physical
<u>Ryan Lim</u>	Passed Pre-Employment physical
<u>Sean McDowell</u>	Passed Pre-Employment physical
<u>Andrew Mendoza</u>	Passed Pre-Employment physical
<u>Tomasz Pitrowski</u>	Passed Pre-Employment physical
<u>Nicholas Ranney</u>	Passed Pre-Employment physical
<u>Hank Rogers</u>	Passed Pre-Employment physical
<u>Andrew Threlkeld</u>	Passed Pre-Employment physical
<u>Andrew Turner</u>	Passed Pre-Employment physical
<u>Jesse Yescas</u>	Passed Pre-Employment physical

E. DEFERRED RETIREMENT OPTION PLAN

Scott Kellner – Election to participate in the DROP 12/31/09

David Ridings – Election to participate in the DROP 12/31/09

F. REDEMPTION OF PRIOR SERVICE

Michael Grinnell – Redemption of prior service with the Military

3.422 years of Military service in the amount of \$59,992.00

Edward Padilla – Redemption of prior service with the Military/Rural Metro

4.000 years of Military/Rural Metro service in the amount of \$63,628.00

G. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY
FOR DECEMBER AND JANUARY TOTAL \$800.00

The Police Board requires no action because this is a Fire Board item.

4. **REVIEW OF PERMANENT DISABILITY PENSION EXECUTIVE SESSION - Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])**

Police – Attachments

Patricia Tersey

There was no executive session.

5. REVIEW OF PERMANENT DISABILITY PENSION
Direction regarding Executive Session

Police

Patricia Tersey

Ms. Tersey was approved for a Permanent Accidental Disability on 10/13/09 and retired on 10/29/09. Since that time the Board received a copy of a letter dated 10/07/09 which contained information that conflicted with previous documentation regarding the medical condition of Ms. Tersey. Ms. Tersey, who was present, provided copies of another letter from her hand surgeon dated 01/11/10.

Mr. McEvoy said that in terms of the sequence there is a conflict in the information. Dr. Thrasher's report is dated September 23, 2009 and the letter from Dr. Smith, dated October 7, 2009, indicates in item #3 that there are no permanent work restrictions. Obviously Dr. Thrasher did not have the letter of October 7, 2009 available to him when he made his determination about Ms. Tersey in September. Mr. McEvoy said it was necessary to somehow reconcile not only that letter but also the January 11th letter that seems to contradict the October 7th letter. Mr. McEvoy felt it was necessary to provide copies of these letters to Dr. Thrasher for reconciliation.

MOTION by Mr. Gurr, seconded by Mr. Kragnes to send the letters with the conflicting medical evidence dated 10/07/09 and 01/11/10 to Dr. Thrasher to determine if Ms. Tersey is still disabled and eligible for a Permanent Accidental Disability Retirement. Motion **CARRIED** by a roll call vote of 3-0. (Mr. Walkup and Mr. Hale absent/excused).

6. CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL
EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Fire – Attachments

There was no executive session.

**7. CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL
Board Direction Regarding Executive Session**

Fire

Roscoe Ealey

The Police Board requires no action because this is a Fire Board item.

**8. COMPLIANCE WITH RULE 16 – ANNUAL PHYSICAL
EXECUTIVE SESSION Discussion or consideration of records exempt by law
from public inspection A.R.S. 38-431.03[2] and discussion or consultation for
legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])**

Police - Attachments

James Hartsuck
Caroline Stover

There was no executive session.

**9. COMPLIANCE WITH RULE 16 – ANNUAL PHYSICAL
Board Direction Regarding Executive Session**

Police

James Hartsuck
Caroline Stover

MOTION by Mr. Kragnes, seconded by Mr. Gurr that both James Hartsuck and Caroline Stover have complied with Rule 17. There is sufficient evidence that they continue to be eligible for a Permanent Accidental Disability benefit based on the letters from Dr. Dennis Thrasher dated 12/2/09 and 12/3/09, respectively. Motion **CARRIED** unanimously.

10. 2009 ACTUARIAL REPORT

Police & Fire – Attachments

MOTION by Mr. Kragnes, seconded by Mr. Gurr that the 2009 Police Actuarial report has been reviewed and made part of the record. Motion **CARRIED** unanimously.

11. 2010/11 BUDGET

Police & Fire - Attachments

MOTION by Mr. Gurr, seconded by Mr. Kragnes to approve the Budget for fiscal year 2010/11. Motion **CARRIED** by a roll call vote of 3-0. (Mr. Walkup and Mr. Hale absent/excused).

12. STATE FIRE MARSHALLS REPORT

Fire – Attachment

The Police Board requires no action because this is a Fire Board item.

13. AUDITS

Police & Fire - Attachments

MOTION by Mr. Gurr, seconded by Mr. Kragnes that Ms. Judy Augustine has complied with the 2009 audit for 2008 income, and has not gone over the financial limit, and she continues to be eligible to receive her benefit. Motion **CARRIED** unanimously.

14. FUND INFORMATION

Police & Fire

Medical Insurance

Ms. Martinez explained to the Board that the City Benefits office routinely directs all phone calls from Police and Fire retirees to our office for assistance with medical insurance. Ms. Martinez went on to say that, she has no training or experience and therefore does not have the ability or knowledge to provide information about the insurance benefits available to retirees.

Mr. Delfs said this Board could be held liable for the information provided by Ms. Martinez. He went on to say that, Ms. Martinez should not be giving information verbally or in writing as it relates to medical/dental benefits. Mr. Delfs suggested that maybe the City could provide some written information or a pamphlet that Ms. Martinez could supply to retiree's upon request. He added that this Board should draft a written policy about this issue, incorporate it into the policy manual and forward it to the City H/R Director.

Mr. Hale said he was in full agreement adding that the benefits department, especially the benefits manager Anita Hart should be addressing those particular issues. Mr. Hale said he was opposed to giving written information for other people to hand out because as far as he is concerned all answers about benefits should be coming from one particular source, which is the benefits department. Mr. Hale said all benefit inquiries should be referred back to the benefits department.

Mr. Delfs asked Ms. Martinez to capture this information in writing and have it signed by the Board Chairman. Mr. Gurr suggested that Ms. Martinez also include the Board Attorney's response about this matter. Finally, Mr. Delfs said he wanted to afford Ms. Martinez the ability to tell retirees that she has been instructed by the Board not to answer questions about medical benefits.

Local Board Seminar

Ms. Martinez informed the Board that the Southern Arizona PSPRS Local Board Conference Seminar will be held at the Town of Marana Municipal Complex on Thursday, February 4, 2010 from 9:00 a.m. to 4:00 p.m. All board members are invited to attend.

15. ADJOURNMENT: 9:40 a.m.

MOTION by Mr. Gurr, seconded by Mr. Kragne, to adjourn the Police Board Meeting. Motion **CARRIED** unanimously.

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **9:00 a.m.** on **Tuesday, February 9, 2010**, in the Finance Department Conference Room, Fifth floor of City Hall, 255 W. Alameda, Tucson, AZ.

Elizabeth Martinez, Board Secretary

Marion Pickens, Co-Chair

VERBATIM TAPE RECORD ON FILE IN THE TUCSON POLICE AND FIRE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS' OFFICE LOCATED AT CITY HALL, FINANCE DEPARTMENT, 1ST FLOOR WEST, 255 W. ALAMEDA, TUCSON, ARIZONA – AVAILABLE UPON REQUEST.